

1 J. THOMAS MCCARTHY (SBN 34728)  
2 TMcCarthy@mofo.com  
3 DOUGLAS L. HENDRICKS (SBN 83611)  
4 DHendricks@mofo.com  
5 RACHEL KREVANS (SBN 116421)  
6 RKrevans@mofo.com  
7 JENNIFER LEE TAYLOR (SBN 161368)  
8 JTaylor@mofo.com  
9 CHRISTOPHER J. WIENER (SBN 280476)  
10 CWiener@mofo.com  
11 MORRISON & FOERSTER LLP  
12 425 Market Street  
13 San Francisco, California 94105-2482  
14 Telephone: (415) 268-7000  
15 Facsimile: (415) 268-7522  
16 Attorneys for Plaintiffs  
17 REARDEN LLC; REARDEN  
18 PRODUCTIONS LLC;  
19 REARDEN STUDIOS LLC; REARDEN,  
INC.; and REARDEN PROPERTIES LLC

1 DANIEL T. MCCLOSKEY (SBN 191944)  
2 mccloskeyd@gtlaw.com  
3 GREENBERG TRAURIG LLP  
4 1900 University Avenue, 5th Floor  
5 East Palo Alto, CA 94304  
6 Telephone: (650) 289-8500  
7 Facsimile: (650) 328-8508  
8 RICHARD D. HARRIS (admitted *pro hac vice*)  
9 harrisr@gtlaw.com  
10 KEVIN J. O'SHEA (admitted *pro hac vice*)  
11 osheak@gtlaw.com  
12 GREENBERG TRAURIG LLP  
13 77 West Wacker Drive, Suite 3100  
14 Chicago, Illinois 60601  
15 Telephone: (312) 456-8400  
16 Facsimile: (312) 456-8435

17 Attorneys for Defendant REARDEN  
18 COMMERCE, INC.

19  
20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN JOSE DIVISION

23 REARDEN LLC, a California limited liability  
24 company; REARDEN PRODUCTIONS LLC, a  
25 California limited liability company; REARDEN  
26 STUDIOS LLC, a California limited liability  
27 company; REARDEN, INC., a California  
28 corporation; and REARDEN PROPERTIES LLC,  
a California limited liability company,

Plaintiffs,

v.

REARDEN COMMERCE, INC., a California  
corporation,

Defendant.

Case No. 5:06-cv-07367-LHK (PSG)

**STIPULATION OF DISMISSAL  
WITH PREJUDICE AND  
[PROPOSED] ORDER**

Honorable Lucy H. Koh

**STIPULATION OF DISMISSAL WITH PREJUDICE AND [PROPOSED] ORDER**  
**CASE NO. 5:06-cv-07367-LHK (PSG)**

sf-3267682

1 IT IS HEREBY STIPULATED by and between the parties in this action, through their  
2 designated counsel, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) the above-  
3 captioned action filed by Rearden LLC, Rearden Productions LLC, Rearden Studios LLC,  
4 Rearden, Inc., and Rearden Properties, LLC, be and hereby is dismissed with prejudice.

5 The parties shall each bear their own attorney's fees and costs incurred in this action.

6 Dated: March 28, 2013

7 J. THOMAS MCCARTHY  
DOUGLAS L. HENDRICKS  
8 RACHEL KREVANS  
JENNIFER LEE TAYLOR  
CHRISTOPHER J. WIENER  
9 MORRISON & FOERSTER LLP

10 By: /s/ Douglas L. Hendricks  
11 DOUGLAS L. HENDRICKS

12 425 Market Street  
San Francisco, California 94105-2482  
13 Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

14 Attorneys for Plaintiffs Rearden LLC, Rearden  
15 Productions LLC, Rearden Studios LLC, Rearden, Inc.,  
and Rearden Properties LLC

16 Dated: March 28, 2013

17 By: /s/ Richard D. Harris  
Richard D. Harris (admitted *pro hac vice*)

18 Daniel T. McCloskey  
19 California Bar No.: 191944  
Greenberg Traurig, LLP  
20 1900 University Avenue, 5<sup>th</sup> Floor  
East Palo Alto, CA 94303  
21 Telephone: (650) 289-7877  
Facsimile: (650) 328-8500

22 Richard D. Harris (admitted *pro hac vice*)  
23 Herbert H. Finn (admitted *pro hac vice*)  
24 Kevin J. O'Shea (admitted *pro hac vice*)  
James J. Lukas, Jr. (admitted *pro hac vice*)  
25 Greenberg Traurig, LLP  
77 West Wacker Drive, Suite 2500  
26 Chicago, IL 60601  
Telephone: (312) 456-8400  
27 Facsimile: (312) 456-8435

28 Attorneys for Defendant Rearden Commerce, Inc.

**STIPULATION OF DISMISSAL WITH PREJUDICE AND ~~PROPOSED~~ ORDER  
CASE NO. 5:06-cv-07367-LHK (PSG)**

1 IT IS SO ORDERED.  
2

The Clerk shall close the file.

3 Dated: April 1, 2013

  
4 LUCY H. KOH  
UNITED STATES DISTRICT JUDGE

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**STIPULATION OF DISMISSAL WITH PREJUDICE AND ~~PROPOSED~~ ORDER  
CASE NO. 5:06-cv-07367-LHK (PSG)**

sf-3267682

## ATTESTATION CLAUSE

I, Douglas L. Hendricks, am the ECF User whose ID and password are being used to file this **Stipulation of Dismissal with Prejudice**. In compliance with General Order 45, X.B., I hereby attest that all parties have concurred in this filing.

Dated: March 28, 2013

J. THOMAS MCCARTHY  
DOUGLAS L. HENDRICKS  
RACHEL KREVANS  
JENNIFER LEE TAYLOR  
CHRISTOPHER J. WIENER  
MORRISON & FOERSTER LLP

By: /s/ Douglas L. Hendricks  
DOUGLAS L. HENDRICKS

425 Market Street  
San Francisco, California 94105-2482  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

**STIPULATION OF DISMISSAL WITH PREJUDICE AND [PROPOSED] ORDER  
CASE NO. 5:06-cv-07367-LHK (PSG)**